

**From:** [Guerry, William M.](#)  
**To:** [HertzWu, Sara](#)  
**Cc:** [Weekley, Erin](#); [JOsbahr@bigoxenergy.com](#); [Mike Major](#); [Hensley, Dave](#); [Ugai, Susan](#); [Terriquez, Joe](#); [Queiroz, Gustavo](#); [Hamner, Elizabeth](#)  
**Subject:** Re: Rescheduled Call on BOE Engineering Designs  
**Date:** Monday, February 25, 2019 12:04:55 PM

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Sara. Yes. We look forward to speaking with you at 3 Central on Wednesday.

Sent from my iPhone

On Feb 25, 2019, at 10:56 AM, HertzWu, Sara <[HertzWu.Sara@epa.gov](mailto:HertzWu.Sara@epa.gov)> wrote:

Bill: Would Wednesday at 3 CST work for your team?

Thanks.

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**From:** Guerry, William M. <[WGuerry@KelleyDrye.com](mailto:WGuerry@KelleyDrye.com)>  
**Sent:** Monday, February 25, 2019 9:30 AM  
**To:** HertzWu, Sara <[HertzWu.Sara@epa.gov](mailto:HertzWu.Sara@epa.gov)>  
**Cc:** Weekley, Erin <[weekley.erin@epa.gov](mailto:weekley.erin@epa.gov)>; [JOsbahr@bigoxenergy.com](mailto:JOsbahr@bigoxenergy.com); Mike Major <[mmajor@powerfulcompliance.com](mailto:mmajor@powerfulcompliance.com)>; Hensley, Dave <[Hensley.Dave@epa.gov](mailto:Hensley.Dave@epa.gov)>; Ugai, Susan <[susan.ugai@nebraska.gov](mailto:susan.ugai@nebraska.gov)>; Terriquez, Joe <[terriquez.joe@epa.gov](mailto:terriquez.joe@epa.gov)>; Queiroz, Gustavo <[queiroz.gustavo@epa.gov](mailto:queiroz.gustavo@epa.gov)>; Hamner, Elizabeth <[EHamner@KelleyDrye.com](mailto:EHamner@KelleyDrye.com)>  
**Subject:** Re: Rescheduled Call on BOE Engineering Designs

Sara—we can work into your schedule any of those days. Thanks, Bill

Sent from my iPad/ Please excuse typos  
Work (202) 342-8858  
Cell (301) 318-8719

On Feb 25, 2019, at 9:53 AM, HertzWu, Sara <[HertzWu.Sara@epa.gov](mailto:HertzWu.Sara@epa.gov)> wrote:

Bill: I am fully booked on Tuesday. I need to check schedules for a call on Wednesday or Thursday.  
Thanks.

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**From:** Guerry, William M. <[WGuerry@KelleyDrye.com](mailto:WGuerry@KelleyDrye.com)>  
**Sent:** Monday, February 25, 2019 5:09 AM  
**To:** HertzWu, Sara <[HertzWu.Sara@epa.gov](mailto:HertzWu.Sara@epa.gov)>  
**Cc:** Weekley, Erin <[weekley.erin@epa.gov](mailto:weekley.erin@epa.gov)>; [JOsbahr@bigoxenergy.com](mailto:JOsbahr@bigoxenergy.com); Mike Major <[mmajor@powerfulcompliance.com](mailto:mmajor@powerfulcompliance.com)>; Hensley, Dave <[Hensley.Dave@epa.gov](mailto:Hensley.Dave@epa.gov)>; Ugai, Susan <[susan.ugai@nebraska.gov](mailto:susan.ugai@nebraska.gov)>; Terriquez, Joe <[terriquez.joe@epa.gov](mailto:terriquez.joe@epa.gov)>; Queiroz, Gustavo

<[queiroz.gustavo@epa.gov](mailto:queiroz.gustavo@epa.gov)>; Hamner, Elizabeth

<[EHamner@KelleyDrye.com](mailto:EHamner@KelleyDrye.com)>

**Subject:** Rescheduled Call on BOE Engineering Designs

Sara,

Can we please reschedule this afternoon's call with BOE to a mutually convenient time tomorrow?

We are still working today with HDR on the proposed engineering drawings for the elevated bypass valve. We want to ensure that the EPA team has adequate time to review those drawings prior to our call in order to ensure an informed dialogue

Thanks,

Bill

Sent from my iPhone

On Feb 22, 2019, at 2:10 PM, HertzWu, Sara

<[HertzWu.Sara@epa.gov](mailto:HertzWu.Sara@epa.gov)> wrote:

Bill: The time that will likely work best for us is Monday afternoon at 3 CST. Does that work for Big Ox?

Thanks.

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**From:** Guerry, William M. <[WGuerry@KelleyDrye.com](mailto:WGuerry@KelleyDrye.com)>

**Sent:** Friday, February 22, 2019 11:17 AM

**To:** HertzWu, Sara <[HertzWu.Sara@epa.gov](mailto:HertzWu.Sara@epa.gov)>

**Cc:** Weekley, Erin <[weekley.erin@epa.gov](mailto:weekley.erin@epa.gov)>;  
'[JOsbahr@bigoxenergy.com](mailto:JOsbahr@bigoxenergy.com)' <[JOsbahr@bigoxenergy.com](mailto:JOsbahr@bigoxenergy.com)>;

Mike Major <[mmajor@powerfulcompliance.com](mailto:mmajor@powerfulcompliance.com)>; Hensley,

Dave <[Hensley.Dave@epa.gov](mailto:Hensley.Dave@epa.gov)>

**Subject:** Call on BOE Engineering Designs

Sara,

Great to catch up yesterday. We appreciate the opportunity to respond to EPA's concerns. So that BOE can continue to provide EPA with constant updates and obtain EPA's pre-approval of our proposed engineering design, can we set up another call early next week with the technical teams? On that call, BOE would like to discuss its engineering drawings, answer questions, and respond to any of EPA's concerns or suggested improvements on the engineering design for the extension to the bypass vent. We plan on sending you those proposed engineering designs by COB today. The BOE

engineers are working with the engineering consultant HDR on these engineering drawings. As we discussed, the initial concept drawings I sent you on Wednesday were designed to support the two air models we submitted at the twenty five foot extension. The development of the final plans will be best informed through our iterative dialogue. We propose to implement the engineering plan within two weeks of the date we obtain EPA approval for the final plan—pursuant to the schedule set forth in the AOC.

We also propose to submit the signed verification statement pursuant to the AOC—after the installation is completed and determined to be effective and in compliance with the specifications developed under the EPA-approved design. That final certification will also cover the implementation of the improvements to an EPA-approved compliance plan for the operation of the digesters to reduce and respond to any future releases. Does EPA have any comments or suggestions in response to the attached draft digester operating compliance plan that we sent you last Thursday, February 14<sup>th</sup>.

Sara, I look forward to participating in a call with you and the EPA and NDEQ technical teams early next week.

Best,  
Bill

This message is subject to Kelley Drye & Warren LLP's email communication policy.

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